IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 25th day of May 2005

Criminal Misc. Bail Application No.313/2005

Order on the bail application of accused

CRIMINAL SIDE

Balbeer @ Nanhe
S/o Jaipal Singh
R/o village Sudanpur
P.S. Rajabpur
District Jyotibaphuley Nagar, U.P. ……..Applicant

Versus

State of Uttaranchal ……Opposite Party

Arising out of case crime No.376 of 2004
U/s 379, 411 I.P.C.
P.S. Jawalapur
District Haridwar

Hon'ble J.C.S. Rawat, J.

Heard Sri Vivek Shukla learned Advocate, Sri Bipin Mohan Pingal learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The incident of theft of the motorcycle took place on 29.8.2004 and the report was lodged on 21.9.2004. The learned counsel for the applicant contended that the recovery of the said motorcycle is not reliable and the report was lodged when the said vehicle was recovered. The case is triable by the Magistrate. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

(J.C.S. Rawat, J.)

Dated 25.5.2005

LSR